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LETTER DATED 18 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF LIBERIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon the instructions of my Government, I have the honour to forward herewith a statement issued on 17 May 1994 by the Government of Liberia concerning recent developments in the peace process.

I should be grateful were you to have this letter and its annex circulated as a document of the Security Council.

(Signed) William BULL
Permanent Representative

Annex

Liberian Government statement on the peace process dated 17 May 1994

The Liberia National Transitional Government, the Government on the ground, comprising all of the parties to the Liberian civil conflict, has determined, in furtherance of the Liberian peace process, to do a review of the status of the Liberian situation and thereby be a part of the international assessment process through the presentation of this document, which is to be a part of the permanent records of the United Nations. We believe this to be necessary also for a fuller informed understanding and appreciation of the problems and difficulties that are unfolding in Liberia, the reasons therefor and the attempts by the Government to find solutions thereto.

It is just over two months and one week since 7 March 1994, when the Council of State of the Liberia National Transitional Government was sworn into office. The birth of the Liberia National Transitional Government was the direct result of the 25 July 1993 Cotonou accord (S/26272, annex) and the 15 February 1994 Monrovia communiqué (S/1994/187, annex), signed by the three major parties to the Liberian civil conflict (Interim Government of National Unity, the National Patriotic Front of Liberia/National Patriotic Reconstruction Government and the United Liberation Movement for Democracy in Liberia). The Cotonou accord was one in a series of attempts by Liberians, the Economic Community of West African States (ECOWAS) and the United Nations to bring peace to war-torn Liberia, after numerous previous failed attempts.

As you may know, the accord contained two major components: the military and the political. The political component of the accord, in addition to providing for the structure of the new transitional Government, also provided that the Government would be seated within one month of the signing of the accord, concomitantly with the beginning of the disarming of the parties and their combatants.

On 15 February 1994, following the completion of the arrival of the United Nations observers and certain contingents of the expanded ECOWAS Military Observer Group (ECOMOG) forces and discussions held among the three parties to the Cotonou accord, a communiqué was issued in Monrovia, stating specifically that the Liberia National Transitional Government would be seated on 7 March 1994 and that on the same day disarming of the parties and their combatants would begin.

In accordance with the provisions of the accord and the Monrovia communiqué, the Council of State was seated on 7 March 1994. Following its seating, the Council began the task of nominating and appointing Cabinet ministers, designated by the parties to the accord, to the various ministerial portfolios of the Government in accordance with the provisions of the Cotonou accord. To date, all of the Cabinet positions envisioned by the Cotonou accord, including Foreign Affairs, Finance, Justice and Defence, have been filled. The Government has also determined, in addition, in an exercise of trade-offs to keep the peace process moving, to reactivate a few other ministerial portfolios

not mentioned in the course of the Cotonou negotiations, which have been determined necessary to take the process forward fully and as agreed to by all of the members of the Council of State in consultation with the parties to the accord. Those portfolios include the Ministry of Rural Development, the Minister of State without Portfolio and the Director-General of the Cabinet.

Following the conclusion of the Cabinet appointments specified in and envisioned by the Cotonou arrangements, the Cabinet was called into session and held its first meeting on Friday, 13 May 1994. At this first meeting of the Cabinet, at which there were in attendance Cabinet ministers designated by all of the parties, a declaration was issued announcing that the Liberia National Transitional Government was the sole Government of Liberia and that it had authority and jurisdiction over the entire country. The statement also called for all of the parties to the accord and those not parties to it to hand their arms over to ECOMOG, under the supervision of the United Nations Observer Mission in Liberia (UNOMIL). The Cabinet determined further that arrangements should now be made for members of the Council and relevant government officials to commence visiting the various subregional areas of Liberia. Consistent with the outlook of the Cabinet, the Council is in the process of formulating and concluding the criteria for the appointment of local government officials throughout the country so that its presence can be felt in all areas of the country. Those appointments are expected to be concluded in the next several days. With those appointments, the process for the Liberia National Transitional Government assuming full control of the country should be completed.

A full budget for the entire country is now under review and should be concluded shortly. Of course, the obligations in the budget are premised on the expectation that the Government will shortly have not only authority over the entire country but control over all the resources of the country. Unless this happens, many of the projections in the budget will fall short, including obligations that the Government is prepared to undertake in respect of the electoral process.

In addition, since the seating of the Council, it has inducted into office the Speaker, the Deputy Speaker and members of the Transitional Legislative Assembly and that body is fully functioning. It has sworn into office the fifth and last Justice of the Supreme Court, thereby enabling the Court to be fully constituted and to operate at its full capacity in the hearing of cases and the administration of justice.

The Elections Commission has witnessed the appointment of two additional commissioners, one from the former Interim Government of National Unity, to fill the vacancy created by the resignation of a former Interim Government appointee to the Commission, and the other from the United Liberation Movement for Democracy in Liberia. The Commission now has an operating membership of six. The seventh Commissioner is still awaited from the United Liberation Movement for Democracy in Liberia, but this has not stopped the Commission from commencing and proceeding with its activities, preparatory to the holding of free and fair elections as stipulated in the Cotonou accord. Thus the Commission has already submitted a budget for the consideration of the Council; it has held a series of meetings with the Council; a member of the Council has

been designated to have oversight responsibility for the Commission and the electoral process; and the Government has already given an initial amount of US$ 100,000 to the Commission for the commencement of its programmes and activities even whilst its budget is under consideration.

In addition to the above, the Government has commenced the payment of five months' salary arrears to civil servants. This is part of the process designed by the Government to take full charge of the national public bureaucracy and by such moves make the peace process less problematic; for, as perceived by the Council, the payment of salary arrears to public servants will have the impact of having civil servants not be influenced to take up arms or align themselves with those persons bent on pursuing a war posture in violation of the Cotonou accord and other instruments executed to bring the civil conflict in Liberia to an end.

The military portion of the accord, on the other hand, called for, among other things, the encampment, disarming and demobilization of the various parties to the conflict by ECOMOG, under the monitoring eyes of UNOMIL. The provisions of the accord relating to the activities mentioned herein were reinforced by the Monrovia communiqué of 15 February 1994, which stipulated that ECOMOG and UNOMIL should be fully deployed throughout the length and breadth of Liberia by 7 March 1994, the date of the seating of the Liberia National Transitional Government, and that the disarming of the combatants should commence on that date simultaneously with the seating.

Notwithstanding the fact that there had not been full deployment of UNOMIL and hardly any deployment of ECOMOG in the areas of the warring parties except those under the civil administration of the Interim Government of National Unity, and because of the prodding of the United Nations, with the agreement of ECOMOG and other friendly countries that asserted that the seating of the Liberia National Transitional Government would encourage the parties to permit the deployment of ECOMOG and UNOMIL forces in their areas and to begin the disarming of their men, the Council of State, the head of the executive branch of the Liberia National Transitional Government, was seated on 7 March 1994. As stated earlier, the other branches of the Government were similarly seated within several days thereafter.

Notwithstanding the achievements made with respect to the political aspect of the Cotonou accord, the military aspect failed miserably to move forward. There were tremendous obstacles created by the parties to the implementation of this part of the accord. After the symbolic commencement of a disarmament exercise, the parties halted all further moves in that direction. The first excuse was that the Government had not been fully constituted since the Cabinet portfolios had not been filled with all of the nominees designated by the parties, especially the National Patriotic Front of Liberia. That problem has now been resolved.

To date, however, notwithstanding the progress on the political front, disarmament continues to be mere symbolism for the parties to the accord; their Transitional Legislative Assembly members are operating and constitute the Legislative Assembly or branch of the Government; their nominees are operating both in the Supreme Court and on the Elections Commission. In short, although

the parties now constitute and make up what is known as the Liberia National Transitional Government, they have shown very little inclination to disarm in earnest, being determined to keep the disarmament at the level of mere symbolism. Indeed, some are now saying outright that they will not proceed with any further disarmament. Thus, after more than two months and one week from the date of seating of the Council of State and although the entire Government is now in place and should have full control over the entire country, just over 2,000 of the estimated 60,000 plus combatants have disarmed.

Several reasons are now pointed to as being responsible for this very slow pace or no movement in the disarmament process, cardinal amongst which are (a) the continued distrust among some of the parties, both of each other and of ECOMOG and UNOMIL, in spite of the fact that the parties now together constitute the Government; (b) interfactional or internal rivalries within one or more of the parties for positions in the Government; and (c) the continued fighting among some of the parties and/or among some of the parties and other armed groups not parties to the accord. Thus, the National Patriotic Front of Liberia has said that, as long as the United Liberation Movement for Democracy in Liberia continues its internal fights between the Krahn and Mandingo ethnic groups that form the two major groups of the United Liberation Movement for Democracy in Liberia and as long as the Liberian Peace Council continues to bear arms against it, the National Patriotic Front of Liberia will not disarm. The Krahn ethnic stock of the United Liberation Movement for Democracy in Liberia has said that it will continue to fight the Mandingo ethnic stock of the United Liberation Movement for Democracy in Liberia as long as the recommendations of persons made by the Chairman of the United Liberation Movement for Democracy in Liberia (who is Mandingo) to high-level posts in the Liberia National Transitional Government continues to hold. The Krahns have demanded that major changes be made to the list of personnel recommended to the Cabinet by the United Liberation Movement for Democracy in Liberia and who have already been nominated to the Transitional Legislative Assembly or confirmed and appointed to various portfolios. The Chairman of the United Liberation Movement for Democracy in Liberia has refused to meet this demand. As a result of this, serious armed fighting has erupted between the two groups, resulting in the loss of many lives, both of combatants and of innocent civilians. Both groups have said that they will not disarm as long as the rivalries continue. There are very few signs that the rivalries will soon subside, in spite of the efforts being made by various persons and groups and institutions, including the Council of State, through one of its members, and ECOMOG.

The National Patriotic Front of Liberia maintains also that as long as the United Liberation Movement for Democracy in Liberia does not disarm because of the internal rivalries, it will not disarm. Moreover, it insists that the Liberian Peace Council must first be disarmed before it would agree to disarm. More recently, the National Patriotic Front of Liberia has insisted that, because it does not consider ECOMOG to be neutral, it will not hand over its arms to ECOMOG. Instead, it has said, it wants a new 5,000-man army constituted, composed of the three warring parties in the following numbers: National Patriotic Front of Liberia, 2,000; Armed Forces of Liberia, 1,500; and the United Liberation Movement for Democracy in Liberia, 1,500. It is only to this new army, says the National Patriotic Front of Liberia, that it would hand over its arms. No reference is made to the Liberia National Transitional

Government in which, except for the Council, the National Patriotic Front of Liberia holds a majority. Such a proposition hardly seems possible or plausible, given even the current ethnic rivalries within the United Liberation Movement for Democracy in Liberia. Moreover, given that all of those bodies have been accused of serious human rights abuses and atrocities, any such proposition could lead to situations very similar to the one that now exists in other areas of the world where there are internal conflicts.

In this unfortunate situation and given the obstacles created by the parties, ECOMOG and UNOMIL have experienced serious difficulties in deciding upon a precise and decisive course in the matter of disarmament. And when they have spoken, the parties have not tended to show seriousness, and in some cases have even offered resistance, in carrying out the disarming of their forces. The impression is clearly given that the parties can continue to go on holding their arms and to use them in the commission of human rights abuses and atrocities against innocent civilians, and that there is not likely to be any intervention even to halt such abuses.

The Liberia National Transitional Government is seriously concerned about the reported abuses being perpetrated by the various parties against innocent civilians and believes that, unless and until ECOMOG and UNOMIL decide upon some decisive action, those abuses are likely to continue. If such abuses are not now checked, we could find ourselves in a similar situation as in other places where widespread killings have been perpetrated against innocent civilians, merely because of their ethnic background.

It is important therefore that the parties to the accord be warned that they could face severe action if they do not permit the disarming of their forces to commence; not only must they respect the human rights of civilians but human rights abuses against innocent civilians will not be tolerated; and the parties will not be permitted free movement across points to commit those acts or to challenge the disarmament process. Until this occurs, the Government may not be able to exert full control throughout the country, a precondition for the holding of free and fair elections, commence the massive repatriation of Liberian citizens who are refugees in foreign parts or see that local government administration is fully established and local government officials operate effectively when appointed by the Liberia National Transitional Government to the administration of the counties.

It is the hope of the Liberia National Transitional Government that, as a result of the review, the United Nations will determine to apply greater pressure on the warring parties to disarm, that ECOMOG and UNOMIL will be called upon to take a more decisive stand in moving the disarmament process forward and that more support, particularly logistical and other material support, will be provided to ECOMOG to enable the disarmament and election exercises to be carried out within the time-frame specified by the Cotonou accord or close thereto; and that the United Nations will continue to provide Liberia with humanitarian assistance, for which this Government is most appreciative.